

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office SEP 21 1988

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 21 1988

The applicant Dan and Shirleen Byington

West Bullion Road, of Elko,
Street and No. or P.O. Box No. City or Town

Nevada 89801, hereby make ^s application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) _____

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 1.0 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____

3. The water to be used for Quasi-Municipal
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated _____

(b) Stockwater, state number and kinds of animals to be watered _____

(c) Other use (describe fully under "No. 12. Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point NW¼ NW¼ of Section 1, T 35 N,
Describe as being within a 40-acre subdivision of public
T 56 E, MDB & M., at a point from which the NW corner of said Section 1 bears N
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
0° 47' 31" W, 1204.54 feet.

6. Place of use Portions of NW¼ NW¼ of Section 1, T 35 N, R 56 E, MDB & M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well and Pipelines for residences.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$20,000

10. Estimated time required to construct works 3 years

If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The waters of this application will be to serve two single family
residences.

BOYACK SURVEYING, AGENT

By /s/ Robert E. Morley

Robert E. Morley

515 South Fifth Street

Elko, Nevada 89801

Compared kh/se pm/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water place to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed 1.0 cubic feet per second, but not to exceed 0.730

million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 24, 1992

Proof of completion of work shall be filed on or before April 24, 1992

Application of water to beneficial use shall be made on or before March 24, 1997

Proof of the application of water to beneficial use shall be filed on or before April 24, 1997

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAY 20 1992

IN TESTIMONY WHEREOF, I PETER G. MORROS

State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed _____

office, this 24th day of March,

Cultural map filed _____

A.D. 19 89

Certificate No. _____ Issued _____

[Signature]
State Engineer